



Journal of the Senate

State of Indiana

115th General Assembly

First Regular Session

Thirty-fifth Meeting Day

Monday Afternoon

April 2, 2007

The Senate convened at 1:34 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Jean D. Breaux.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Arnold	Lubbers
Becker	Meeks
Boots	Merritt
Bray	Miller
Breaux	Mishler
Broden	Mrvan
Deig	Nugent
Delph	Paul
Dillon	Riegsecker <input type="checkbox"/>
Drozda	Rogers
Errington	Simpson
Ford	Sipes
Gard	Skinner
Heinold	Smith
Hershman	Steele
Howard	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 327: present 49; excused 1. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 57

Senate Concurrent Resolution 57, introduced by Senator Delph:

A CONCURRENT RESOLUTION honoring Michael S. "Mickey" Maurer for his service to the State of Indiana.

Whereas, Throughout his career, Michael S. "Mickey" Maurer has given generously of his time, talent and personal resources. Mr.

Maurer's creativity and his understanding of business were evident from a very early age, when he negotiated prices at his family's auto salvage yard. Much later in his career, he would use these same skills to negotiate economic development projects on behalf of the State of Indiana;

Whereas, Mr. Maurer graduated from North Central High School, received a bachelor's degree from the University of Colorado, and earned a law degree from Indiana University. Thereafter, Mr. Maurer enjoyed great success in numerous business endeavors which have included part ownership in a chain of racquetball courts, the Indianapolis Business Journal, the National Bank of Indianapolis, the Indiana Square office tower and several radio stations;

Whereas, Mr. Maurer was appointed President of the Indiana Economic Development Corporation in 2005. Charged with the task of making the IEDC run at the speed of business, Mr. Maurer secured commitments from companies to create over 37,000 new jobs and invest over 11 billion dollars of private capital;

Whereas, Governor Mitch Daniels appointed Mr. Maurer the Secretary of Commerce in 2006. Working for one dollar per year and regularly offering his personal resources for the good of the state, Mr. Maurer was able to attract three new auto plants to Indiana and create thousands of jobs with many more in the pipeline; and

Whereas, Michael S. "Mickey" Maurer regarded public service as a matter of obligation. He was a true steward of taxpayer resources, and his effectiveness as a negotiator saved the taxpayers of Indiana many millions of dollars and created countless opportunities. His departure leaves a void that will be difficult to fill: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Michael S. "Mickey" Maurer for his service to the State of Indiana and wishes him well in his future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Michael S. Maurer.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Orentlicher and Burton.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rules 73, 79, and 81, I have received from Senator Riegsecker permission for the designated second author/sponsor to take all necessary action for bills or resolutions on which Senator Riegsecker is first author/sponsor.

LONG

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Lubbers has been excused from voting on EHB 1722 pursuant to the Report of the Committee on Ethics adopted on March 27, 2007.

LONG

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 128:

Conferees: R. Michael Young, Chair and Deig
Advisors: Kruse, Waltz, Hume, and Mrvan

LONG

Date: 4/2/2007

Time: 10:00 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 192:

Conferees: Lubbers, Chair and Sipes
Advisors: Alting, Wyss, Skinner, and Errington

LONG

Date: 3/20/2007

Time: 11:30 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on

Engrossed Senate Bill 502:

Conferees: Kenley, Chair and Mrvan

Advisors: Dillon, Wyss, Hume, and Skinner

LONG

Date: 3/27/2007

Time: 8:50 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 94:

Conferees: Landske, Chair and Broden

Advisors: Kenley, Miller, Simpson, and Mrvan

LONG

Date: 3/13/2007

Time: 1:25 p.m.

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 81

Senate Concurrent Resolution 81, introduced by Senator Waterman:

A CONCURRENT RESOLUTION commending Republic of China (Taiwan) on its contributions to promote world health.

Whereas, Good health is essential to every citizen of the world and access to the highest standards of health information and services is necessary to improve public health;

Whereas, The World Health Organization (WHO) set forth in the first chapter of its charter the objective of attaining the highest possible level of health for all people;

Whereas, The Taiwan's achievements in the field of health are substantial, including one of the highest life expectance levels in Asia, maternal and infant mortality rates comparable to those of western countries, and the eradication of such infectious diseases as cholera, smallpox, and the plague; moreover, it was the first Asian nation to eradicate polio and provide children with hepatitis B vaccinations;

Whereas, The United States Center for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues;

Whereas, In recent years, Taiwan has expressed a willingness to

assist financially and technically in international health activities supported by the WHO; and

Whereas, Direct, unobstructed participation in international health forums and programs is critical to limit the spread of various infectious diseases and achieve world health: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate commends the efforts of Taiwan in support of world health and extends its support for the participation of the Republic of China (Taiwan) in the World Health Organization.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the governing authority of the World Health Organization and to the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Kuzman, Whetstone, Borders, Denbo, and Bauer.

Senate Concurrent Resolution 82

Senate Concurrent Resolution 82, introduced by Senator Waterman:

A CONCURRENT RESOLUTION supporting a free trade agreement between the Republic of China (Taiwan) and the United States.

Whereas, Taiwan and the United States enjoy one of the most important economic and strategic international relationships that exist today;

Whereas, Together, Taiwan and the United States promote a shared belief in freedom, democracy, and market principles;

Whereas, The level of mutual investment between Taiwan and the United States is quite high;

Whereas, Streamlined foreign investment procedures developed under a free trade agreement between Taiwan and the United States would create new business opportunities and new jobs;

Whereas, A free trade agreement between Taiwan and the United States would encourage greater innovations and manufacturing efficiencies by stimulating joint technological development, practical applications, and new cooperative ventures;

Whereas, A recent study by the United States International Trade Commission supports the negotiation of a free trade agreement between Taiwan and the United States; and

Whereas, A free trade agreement between Taiwan and the United States would build on the existing strong relations between Taiwan and the United States to simultaneously boost Taiwan's security and democracy and serve the broader interest of the United States in the Asia-Pacific region: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly supports the negotiation of a free trade agreement between the Republic of China (Taiwan) and the United States.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Kuzman, Whetstone, Borders, Denbo, and Bauer.

Senate Concurrent Resolution 19

Senate Concurrent Resolution 19, introduced by Senator Weatherwax:

A CONCURRENT RESOLUTION honoring the Lewis Cass High School Softball team on winning the 2006 Class 2A Championship of the Indiana High School Athletic Association Softball State Finals.

Whereas, The Lewis Cass High School Softball Team fought hard to make it to the Class 2A Softball State Finals;

Whereas, The team had a record of 28 wins and 2 losses during the 2006 season, and put together a 23 game winning streak to make it into the championship game;

Whereas, In the championship game, the Lewis Cass Kings overcame both their opponents and two rain delays to defeat Frankton by a score of 3-0;

Whereas, Ollmay Wilson, a junior member of the team, pitched a shutout game against Frankton to secure Lewis Cass High School's first Softball State Championship; and

Whereas, The entire team's effort and enthusiasm throughout the regular and post season is worthy of recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the General Assembly of the State of Indiana recognizes and honors the Lewis Cass High School Softball team on winning the 2006 Class 2A Softball State Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Principal Isaacs, Coach Brent Blinn, and to Southeastern School Corporation Superintendent Dr. John Bevan.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives McClain and Hinkle.

SENATE MOTION

Madam President: I move that Senate Concurrent Resolution 74, which is eligible for adoption on April 2, 2007, be withdrawn from further consideration by the Senate.

WALKER

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 24

Senate Resolution 24, introduced by Senators Alting and Hershman:

A SENATE RESOLUTION honoring Brittany Oliver as one of the top youth volunteers in Indiana.

Whereas, Brittany Oliver, an esteemed resident of Lafayette and a student at Lafayette Jefferson High School, has achieved national recognition for exemplary volunteer service as a Distinguished Finalist in the 2007 Prudential Spirit of Community Awards;

Whereas, This prestigious award honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities. Ms. Oliver earned a bronze medallion by giving generously of her time and energy to recruit more than 80 volunteers to read to young children at seven local day-care centers;

Whereas, Ms. Oliver's program, called "Reading Teams," teaches kids that reading is important and helps them develop academically. It also makes them feel appreciated and introduces them to positive role models in the community; and

Whereas, The success of the State of Indiana, the strength of our communities and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Oliver who use their considerable talents and resources to serve others: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. The Indiana State Senate honors Brittany Oliver as

one of the top youth volunteers in Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Brittany Oliver and her family.

The resolution was read in full and adopted by voice vote.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1060

Senator Meeks called up Engrossed House Bill 1060 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1067

Senator Meeks called up Engrossed House Bill 1067 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1378

Senator Becker called up Engrossed House Bill 1378 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1388

Senator Drozda called up Engrossed House Bill 1388 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1429

Senator Steele called up Engrossed House Bill 1429 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1437

Senator Bray called up Engrossed House Bill 1437 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1452

Senator Miller called up Engrossed House Bill 1452 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1452-2)

Madam President: I move that Engrossed House Bill 1452 be amended to read as follows:

Page 2, delete lines 38 through 39.

(Reference is to EHB 1452 as printed March 27, 2007.)

PAUL

Motion prevailed.

SENATE MOTION
(Amendment 1452-3)

Madam President: I move that Engrossed House Bill 1452 be amended to read as follows:

Page 17, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 15. IC 27-1-34-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) As used in this chapter, "arrangement" refers to a multiple employer welfare arrangement.

(b) As used in this chapter, "multiple employer welfare arrangement" means an entity other than a duly admitted insurer that establishes an employee benefit plan for the purpose of offering or providing accident and sickness or death benefits to the employees of at least two (2) employers, including self-employed individuals and their dependents. **For purposes of this subsection, two (2) employers, one (1) of which holds an ownership interest of at least fifty-one percent (51%) in the other, are considered to be one (1) employer."**

Page 57, after line 36, begin a new paragraph and insert:

"SECTION 42. **An emergency is declared for this act."**

Re-number all SECTIONS consecutively.

(Reference is to EHB 1452 as printed March 27, 2007.)

PAUL

Motion prevailed.

SENATE MOTION
(Amendment 1452-5)

Madam President: I move that Engrossed House Bill 1452 be amended to read as follows:

Page 39, line 1, delete "immediately upon" and insert "**not more than forty-five (45) days after the insurer's (as defined in IC 27-8-5.7-3)**".

(Reference is to EHB 1452 as printed March 27, 2007.)

LANDSKE

Motion prevailed.

SENATE MOTION
(Amendment 1452-4)

Madam President: I move that Engrossed House Bill 1452 be amended to read as follows:

Page 4, line 21, strike "(g)" and insert "**(f)**".

Page 5, line 19, strike "and" and insert "**rule, rate, or**".

Page 5, line 20, delete "state. Each" and insert "state, **including subsequent filings. Except as provided in subsection (f), each**".

Page 5, line 20, after "rider," insert "**rule, rate,**".

Page 5, line 20, after "endorsement" insert "**that is**".

Page 5, line 21, delete "and associated" and insert "**or in association**".

Page 5, line 21, delete "that" and insert "**a particular**".

Page 5, between lines 28 and 29, begin a new paragraph and insert:

"(f) Beginning July 1, 2009, a policy, rider, rule, rate, or endorsement that is filed as part of a particular product filing or in association with a particular product filing for a commercial product described in:

(1) Class 2(b), Class 2(c), Class 2(d), Class 2(e), Class 2(f), Class 2(g), Class 2(h), Class 2(i), Class 2(j), Class 2(k), Class 2(l), or Class 2(m) of IC 27-1-5-1; or

(2) Class 3 of IC 27-1-5-1;

is considered to be part of a single filing for which the insurer is subject only to one (1) thirty-five dollar (\$35) fee under subsection (e)."

Page 5, line 29, strike "(f)" and insert "**(g)**".

Page 5, line 32, strike "(g)" and insert "**(h)**".

Page 5, line 34, strike "(h)" and insert "**(i)**".

(Reference is to EHB 1452 as printed March 27, 2007.)

WALTZ

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1468

Senator Becker called up Engrossed House Bill 1468 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1480

Senator Meeks called up Engrossed House Bill 1480 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1489

Senator Lubbers called up Engrossed House Bill 1489 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1659

Senator Jackman called up Engrossed House Bill 1659 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1717

Senator Bray called up Engrossed House Bill 1717 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1717-1)

Madam President: I move that Engrossed House Bill 1717 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions and commercial law.

Page 4, line 1, delete "or" and insert "**or**".

Page 14, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 7. IC 23-2-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) To be enforceable, every contract for the services of a loan broker shall be in writing and signed by the contracting parties.

(b) At the time a contract for the services of a loan broker is signed, the loan broker shall provide a copy of the signed contract to each of the other parties to the contract.

(c) Every contract for the services of a loan broker must include the following statement:

"No statement or representation by a loan broker is valid or enforceable unless the statement or representation is in writing."

~~(c)~~ **(d)** This section does not apply to a contract that provides for the payment of referral fees by a lender or a third party."

Page 19, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 10. IC 23-2-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. Any person who violates this chapter **or any rule or regulation adopted under this chapter**, in connection with a contract for the services of a loan broker, is liable to any person damaged by the violation, for the amount of the actual damages suffered, interest at the legal rate, and attorney's fees. If a person violates any provision of this chapter **or any rule or regulation adopted under this chapter**, in connection with a contract for loan brokering services, the contract is void, and the prospective borrower is entitled to receive from the loan broker all sums paid to the loan broker."

Page 19, line 26, reset in roman "a".

Page 21, line 42, delete "a".

Page 23, between lines 16, and 17, begin a new paragraph and insert:

"SECTION 17. IC 23-19-6-5, AS ADDED BY HEA 1555-2007, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) The commissioner may:

- (1) issue forms and orders and, after notice and comment, may adopt and amend rules necessary or appropriate to carry out this article and may repeal rules, including rules and forms governing registration statements, applications, notice filings, reports, and other records;
- (2) by rule, define terms, whether or not used in this article, but those definitions may not be inconsistent with this article; and
- (3) by rule, classify securities, persons, and transactions and adopt different requirements for different classes.

(b) Under this article, a rule or form may not be adopted or amended, or an order issued or amended, unless the commissioner finds that the rule, form, order, or amendment is necessary or appropriate in the public interest or for the protection of investors and is consistent with the purposes intended by this article.

(c) Subject to Section 15(h) of the Securities Exchange Act of 1938 (15 U.S.C. 78o(h)) and Section 222 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-18a), the commissioner may require that a financial statement filed under this article be prepared in accordance with generally accepted accounting principles in the

United States and comply with other requirements specified by rule adopted or order issued under this article. A rule adopted or order issued under this article may establish:

- (1) subject to Section 15(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(h)) and Section 222 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-18a), the form and content of financial statements required under this article;
- (2) whether unconsolidated financial statements must be filed; and
- (3) whether required financial statements must be audited by an independent certified public accountant.

(d) The commissioner may provide interpretative opinions or issue determinations that the commissioner will not institute a proceeding or an action under this article against a specified person for engaging in a specified act, practice, or course of business if the determination is consistent with this article. The commissioner shall charge a fee of one hundred dollars (\$100) for an interpretive opinion or determination.

(e) A penalty under this article may not be imposed for, and liability does not arise from, conduct that is engaged in or omitted in good faith and reasonably believed to be conforming to a rule, form, or order of the commissioner under this article.

(f) A hearing in an administrative proceeding under this article must be conducted in public unless the commissioner ~~for good cause consistent with this article determines that the hearing will not be so conducted:~~ **finds a statutory basis that would allow the hearing to be closed to the public.**

SECTION 18. IC 23-19-6-7, AS ADDED BY HEA 1555-2007, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) Except as otherwise provided in subsection (b), records obtained by the commissioner or filed under this article, including a record contained in or filed with a registration statement, application, notice filing, or report, are public records and are available for ~~public examination:~~ **inspection and copying.**

(b) The following records are ~~not public records~~ **confidential** and are not available for public ~~examination~~ **inspection and copying** under subsection (a):

- (1) A record obtained by the commissioner in connection with an audit or inspection under IC 23-19-4-11(d) or an investigation under section 2 of this chapter.
- (2) A part of a record filed in connection with a registration statement under IC 23-19-3-1 and IC 23-19-3-3 through IC 23-19-3-5 or a record under IC 23-19-4-11(d) that contains trade secrets or confidential information if the person filing the registration statement or report has asserted a claim of confidentiality or privilege that is authorized by law and approved by the commissioner.
- (3) A record that is not required to be provided to the commissioner or filed under this article and is provided to the commissioner only on the condition that the record will not be subject to public examination or disclosure.
- (4) ~~A nonpublic record~~ **Confidential records** received from a person specified in section 8(a) of this chapter.

(5) Any Social Security number, residential address unless used as a business address, and residential telephone number unless used as a business telephone number, contained in a record that is filed.

(6) A record obtained by the commissioner through a designee of the commissioner that a rule or order under this article determines has been:

(A) expunged from the commissioner's records by the designee; or

(B) determined to be ~~nonpublic or nondisclosable~~ **confidential** by that designee if the commissioner finds the determination to be ~~in the public interest and for the protection of investors~~ **based on statutory authority**.

(c) If disclosure is for the purpose of a civil, administrative, or criminal investigation, action, or proceeding or to a person specified in section 8(a) of this chapter, the commissioner may disclose a record obtained in connection with an audit or inspection under IC 23-19-4-11(d) or a record obtained in connection with an investigation under section 2 of this chapter."

Page 25, line 39, delete "IC 23-11-1-15" and insert "IC 25-11-1-15".

Page 29, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 25. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to the interim study committee on mortgage lending practices and home loan foreclosures established by this SECTION.

(b) There is established the interim study committee on mortgage lending practices and home loan foreclosures. The committee shall study the following:

(1) The appropriateness of requiring state licensure for all mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers.

(2) The appropriate state agency or regulatory body to oversee the regulation of mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers.

(3) Other states' approaches to regulating mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers. In examining the regulatory approaches of other states under this subdivision, the committee shall attempt to identify those approaches that:

(A) incorporate an efficient or streamlined regulatory framework; or

(B) otherwise represent best practices for state regulation of mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers.

(4) The causes of home loan foreclosures in Indiana.

(5) Whether legislative or regulatory solutions exist to:

(A) prevent or reduce the number of home loan foreclosures in Indiana; and

(B) prevent or reduce the occurrence of fraudulent practices in the home loan industry.

(6) Issues concerning the referral of appraisal companies by mortgage lenders, loan brokers, originators, or settlement service providers that have an:

(A) ownership or investment interest in or compensation arrangement with the appraisal companies; or

(B) immediate family member that has an ownership or investment interest in or compensation arrangement with the appraisal companies.

(7) Issues concerning the referral of settlement service providers by mortgage lenders, loan brokers, or originators that have:

(A) a business relationship or an ownership interest in the settlement service providers; or

(B) an immediate family member that has a business relationship or an ownership interest in the settlement service providers.

(8) The appropriateness of requiring a person licensed under IC 23-2-5 to notify the commissioner if the employment of a person registered under IC 23-2-5 is terminated.

(9) Other topics that the committee considers relevant in:

(A) examining mortgage lending practices and home loan foreclosures in Indiana; and

(B) devising solutions to the problems identified.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(e) The committee shall report its findings and any recommendations to the legislative council not later than November 1, 2007. The committee's report to the legislative council under this subsection must be in an electronic format under IC 5-14-6.

(f) This SECTION expires January 1, 2008."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1717 as printed March 23, 2007.)

BRAY

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1738

Senator Gard called up Engrossed House Bill 1738 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1753

Senator Lubbers called up Engrossed House Bill 1753 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1220

Senator Miller called up Engrossed House Bill 1220 for second

reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1264

Senator Dillon called up Engrossed House Bill 1264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**ENGROSSED HOUSE BILLS
ON THIRD READING****Engrossed House Bill 1085**

Senator Nugent called up Engrossed House Bill 1085 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 328: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1193

Senator Miller called up Engrossed House Bill 1193 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 329: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1557

Senator Paul called up Engrossed House Bill 1557 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 330: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1663

Senator Miller called up Engrossed House Bill 1663 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 331: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Pursuant to prior authorization from Senator Riegsecker, Senator Becker called up Engrossed House Bill 1774 for Third Reading.

Engrossed House Bill 1774

Senator Becker called up Engrossed House Bill 1774 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 332: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill 311 with amendments and the same is herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 157 and 534 with amendments and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bill 419 and the same is herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the

April 2, 2007

Senate 733

Senate that the House has passed House Concurrent Resolution 51 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 53 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 52 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Howard be added as cosponsor of Engrossed House Bill 1193.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1659.

JACKMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Merritt, Kenley, Weatherwax, Lubbers, and Howard be added as coauthors of Senate Concurrent Resolution 57.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1824.

GARD

Motion prevailed.

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On March 30, 2007, I signed the following enrolled acts into law: SEA 10, 41, 96, 108, 150, 163, 166, 185, and 212.

MITCHELL E. DANIELS, JR.
Governor

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, April 3, 2007.

LONG

Motion prevailed.

The Senate adjourned at 2:49 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate